

BOARD OF MADISON COUNTY COMMISSIONERS
August 28, 2006 MINUTES

On Monday, August 28, 2006, a meeting of the Board of Madison County Commissioners came to order at 10:00 AM with Commissioners Ted Coffman, David Schulz and Frank Nelson present.

David Schulz moved to approve the August 21, 2006, minutes with corrections. Frank Nelson seconded the motion. All voted aye and the motion carried.

Those present at the meeting were Doris Fischer, Jim Hart, Marilyn Ross, Lewis Stahl, Pete Brekhus, Neil Kent, Brandy Hilton, Peggy Kaatz, Staci Beecher, Karen Brown, and Julie Dewey.

Jim Hart, District 3 Commissioner Candidate, and Marilyn Ross and Lewis Stahl, District 2 Commissioner Candidates, were present to observe the meeting.

Request for Extension of Preliminary Plat of South McAllister Minor Subdivision: Doris Fischer, Planner, met with the Board to discuss a request for extension of plat approval from Paul and Karen McMullin. The current approval is good through 2007, but the McMullins would like an additional year to allow for highway work to be completed before submitting a final plat. Doris stated that this is a legitimate reason for requesting an extension. Frank Nelson moved to approve the request for extension of South McAllister Minor Subdivision until June 9, 2008. David Schulz seconded the motion. All voted aye and the motion carried.

Madison Valley Hospital Mill Levy: Pete Brekhus, Madison Valley Hospital Administrator, and Neil Kent, Madison Valley Hospital Board Chairman, met with the Board to discuss the mill levy request that was put on the June 2006 ballot. Because of a change in State law, the language on the ballot was different than in past years, asking for a dollar amount to be approved rather than a number of mills. The mill levy passed but the amount was less than the Hospital Board anticipated. Neil Kent asked about options to get the full amount. Commissioner Coffman stated that the only way to increase the mill levy is to put it back on the ballot at the next election.

Budget Amendment: David Schulz moved to approve Resolution 43-2006, a resolution of budget amendment for Fiscal Year 2005-2006 for Disaster/FEMA Fund 2960. Frank Nelson seconded the motion. All voted aye and the motion carried.

Recent Bear Creek Area Surveys: Doris Fischer, Planner, Staci Beecher, Planner 1, Peggy Kaatz, Clerk and Recorder, and Brandy Hilton, Department of Revenue, met with the Board to discuss two recently filed surveys in the Bear Creek area that created 160 acre tracts. In each case, more than one remainder was created. Further, Doris Fischer stated that to qualify as a remainder, the remainder tract cannot be conveyed. In the case of the SBC Enterprises survey, both remainder tracts were conveyed immediately. Peggy provided information from a similar case in Gallatin County that resulted in legal action by Gallatin County against the landowners. Because the County Attorney has resigned, the Board will wait until a new County Attorney is hired to make a decision regarding what action to take. Doris asked the Board to reconsider their recent vote to deny the citizen-initiated zoning petition. She suggested that the Planning Office develop a recommended process for citizen initiated zoning. She also suggested that the Board send a letter to the two sets of landowners involved, urging them to vacate the recent surveys due to the legal issues they have raised. The Board asked Doris to draft such a letter.

Fee Schedule for GIS Maps: Karen Brown, GIS/IT, met with the Board to discuss a proposed fee schedule for GIS maps. David Schulz moved to adopt the fee schedule for GIS maps dated August 28, 2006, with standard maps up to 8.5 by 14 priced at \$5.00, 11 by 17 at \$10.00, oversized at \$25.00, and customized maps and atlas updates priced according to the time and material involved. Frank Nelson seconded the motion. All voted aye and the motion carried.

Grants: Julie Dewey, Grant Writer, met with the Board to discuss upgrades needed at the Ennis Fire Hall and Twin Bridges School polling places in order to meet Americans with Disabilities requirements.

Board Appointments: David Schulz moved to accept Tom Leo's request to be on the Fair Board representing the Ennis area. Frank Nelson seconded the motion. All voted aye and the motion carried.

Public Surplus Auction: The Board discussed conducting a public surplus auction. The Board will get an itemized list together and set a date for an auction.

Trust and Agency Budgets: David Schulz moved to approve the following Trust and Agency Budgets: Madison Valley Hospital District, Ruby Valley Hospital District, Madison Valley Cemetery, Virginia City Cemetery, Taylor Cemetery, Sheridan Cemetery, Laurin Cemetery, Twin Bridges Cemetery, Pioneer Cemetery, South Boulder Cemetery, Beaverhead Valley Conservation District, Madison Valley Conservation District, Jefferson Valley Conservation District, Ruby Valley Conservation District, Madison Valley Rural Fire District, Alder Rural Fire District, Sheridan Rural Fire District, Gallatin Canyon Consolidated Rural Fire District, Harrison Rural Fire District, Jefferson Valley Rural Fire District, and Twin Bridges Rural Fire District. Frank Nelson seconded the motion. All voted aye and the motion carried.

County Attorney Resignation: Frank Nelson moved to accept the resignation from Bob Zenker, County Attorney, effective at the close of business on September 11, 2006, and to advertise the position according to law. David Schulz seconded the motion. All voted aye and the motion carried.

Airport Bids: Frank Nelson moved to accept the proposal from Richardson Building and Design of Ennis, for the Ennis Big Sky Airport Improvements, A.I.P. 3-30-0090-009-2007, in the amount of \$92,450, to construct a 30 foot by 38 foot wood framed, steel sided, heated garage, and to ask for concurrence from the Federal Aviation Administration. David Schulz seconded the motion. All voted aye and the motion carried.

Speed Study Request: Frank Nelson moved to deny a request from two Madison Valley residents, that the Board ask the Department of Transportation to conduct an engineering speed zone study from Highway 87 to mile marker 20 on Highway 287 North. The Board will forward their letter to Lee Alt, MDT Traffic Engineer. David Schulz seconded the motion. All voted aye and the motion carried.

Public Discussion: The Board received a telephone call from Doug Young, Sheriff's Department, regarding a dispute over a culvert just off of Mayflower Road and who is responsible to install and maintain the culvert. Because the culvert is not on a County Road, the Board determined that this is a civil issue and the parties involved should consult legal counsel.

Claims: The Board approved claims.

With no further business the meeting adjourned at 3:00 PM.

C. Ted Coffman, Chairman
Board of Madison County Commissioners

Date Approved: September 5, 2006
Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County